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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte CHI-CHENG LEE, ANDY M. TSANG, and THOMAS B. REMAHL

Appeal 2008-001027
Application 09/998,908[1]
Technology Center 2400

Decided: August 20, 2009

Before HOWARD B. BLANKENSHIP, JAY P. LUCAS, and ST. JOHN COURTENAY III, *Administrative Patent Judges*.

LUCAS, *Administrative Patent Judge*.

DECISION ON APPEAL

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[1] Application filed November 30, 2001. Appellants claim the benefit under 35 U.S.C. § 119 of provisional application 60/258,087, filed 12/22/2000 and 60/285,524, filed 04/20/2001. The real party in interest is Oracle International Corporation of Redwood Shores, California.

STATEMENT OF THE CASE

Appellants appeal from a final rejection of claims 1-13, 16-19, 21-27, 35-37, 40, 42-45, and 50-57 under authority of 35 U.S.C. § 134. Claims 14, 15, 20, 28-34, 38, 39, 41, and 46-49 are cancelled. The Board of Patent Appeals and Interferences (BPAI) has jurisdiction under 35 U.S.C. § 6(b).

Appellants' invention relates to a method of servicing data requests to a plurality of data stores, each with a dedicated agent. In the words of Appellants:

> The present invention, roughly described, pertains to technology for supporting multiple data stores. The set of data stores can be of a uniform type, or the various data stores can be different types (e.g. LDAP, SQL, etc.). One implementation of the disclosed technology is with an Identity System. Another implementation is with an integrated Identity System and Access System. Various embodiments of the present invention utilize different means to separate the business logic of a system from the data access logic so that different types of data stores can be used without changing the business logic.
>
> One embodiment of the present invention includes receiving a request at an integrated access system and identity system, which supports a plurality of data stores. The system accesses one or more of the data stores in response to the request and reports back to the requester or another entity (or process) based on the step of accessing.
>
> Another embodiment of the present invention includes receiving a request to access one or more of a plurality of data stores and determining which data stores can service the request. Each data store is associated with a separate agent. The system accesses the data stores that can service the request by communicating with the associated agents. A different embodiment of the present invention includes receiving a request, creating a proxy having knowledge of which data stores can service the request, and facilitating performance of the request using the proxy.

(Spec., p. 2, l. 21 to p. 3, l. 9)

Claim 1 is exemplary:

> 1. A method of supporting multiple data stores for an integrated access system and identity system, comprising the steps of:
>
> receiving a request at said integrated access system and identity system, said integrated access system and identity system supporting a plurality of data stores, each data store having a dedicated agent for interacting with the data store and a profile mapping one-to-one with the dedicated agent and representing configuration information for the data store;
>
> determining based on the profiles which data stores can service said request;
>
> creating a temporary proxy with one or more pointers to agents associated with said data stores that can service said request;
>
> accessing data stores that can service said request via the agent for the one or more data stores from the temporary proxy;
>
> reporting via the temporary proxy information based on said step of accessing; and
>
> terminating the temporary proxy.

The prior art relied upon by the Examiner in rejecting the claims on appeal is:

Bull	5,901,287	May 04, 1999
Hassett	6,173,311 B1	Jan. 09, 2001
Brown	6,678,733	Jan. 13, 2004
Krapf	6,901,588 B1	May 31, 2005

REJECTIONS

The Examiner rejects the claims as follows:

R1: Claims 1-4, 7-13, 16-19, 21-27, 35-37, 40, 42-45, and 50-57 stand rejected under 35 U.S.C. § 103(a) for being obvious over Hassett and Bull in view of Krapf.

R2: Claims 5 and 6 stand rejected under 35 U.S.C. § 103(a) for being obvious over Hassett and Bull in view of Brown.

Groups of Claims:

The claims will be discussed in the order of the arguments.

Appellants contend that the claimed subject matter is not rendered obvious by Hassett and Bull in view of Krapf or Brown for failure of the references to teach certain claimed limitations. The Examiner contends that each of the claims is properly rejected.

We reverse the rejections.

ISSUE

The issue is whether Appellants have shown that the Examiner erred in rejecting the claims under 35 U.S.C. § 103(a). The issue turns on whether the references jointly teach data stores with individual agents as claimed and the creation of a temporary proxy with pointers to agents as claimed.

FINDINGS OF FACT

The record supports the following findings of fact (FF) by a preponderance of the evidence.

1. Appellants have invented a method and apparatus for controlling and operating multiple data stores wherein each data store has a separate agent responsible for all interactions with the data store. (Spec. 18, l. 12).

Requests are serviced by the database manager creating a separate temporary database proxy for each request for data; the proxy being a dynamic object that accesses the agent for the data store and performs the search and retrieval processes associated with the request. (Spec. 18, ll. 22 to 28; Fig. 3).

2. Hassett teaches a computer based database system with a caching proxy server that stores oft-accessed web pages in a local cache. (Col. 3, l. 5). Hassett teaches the use of agents, including intelligent agents, which store GET requests from client computers on the caching proxy server. (Col. 7, l. 15). Agents of various types are also described. (Col. 7, ll. 42-64).

3. In a computer network used for accessing data on the Internet, Bull teaches software text agents associated with a user. The agents are simply words, or combinations of words, which form a word-based search pattern. (Col. 6, l. 46). Agents can be subject-oriented, for example related to searching cars. (Col. 6, l. 50).

4. Krapf translates code from one programming language to another, such as Java to C++. (Col. 2, l. 10). Constructs or classes of instructions that exist in one language but not in the other are simulated by proxy classes. (Col. 7, l. 33; col. 15, l. 5).

PRINCIPLES OF LAW

Appellants have the burden on appeal to the Board to demonstrate error in the Examiner's position. See *In re Kahn*, 441 F.3d 977, 985-86 (Fed. Cir. 2006) ("On appeal to the Board, an applicant can overcome a rejection [under § 103] by showing insufficient evidence of prima facie

obviousness or by rebutting the prima facie case with evidence of secondary indicia of nonobviousness.") (quoting *In re Rouffet*, 149 F.3d 1350, 1355 (Fed. Cir. 1998)).

"In reviewing the [E]xaminer's decision on appeal, the Board must necessarily weigh all of the evidence and argument." *In re Oetiker*, 977 F.2d 1443, 1445 (Fed. Cir. 1992).

"It is common sense that familiar items may have obvious uses beyond their primary purposes, and a person of ordinary skill often will be able to fit the teachings of multiple patents together like pieces of a puzzle." *KSR Int'l Co. v. Teleflex, Inc.*, 550 U.S. 398 at 402 (2007).

ANALYSIS

From our review of the administrative record, we find that the Examiner has proposed a prima facie case for the rejections of Appellants' claims under 35 U.S.C. § 103. The prima facie case is presented on pages 3 to 14 of the Examiner's Answer. In opposition, Appellants present a number of arguments.

Arguments with respect to the rejection
of claims 1 to 4, 7 to 13, 16 to 19, 21 to 27, 35 to 37,
40, 42 to 45, and 50 to 57
under 35 U.S.C. § 103(a) [R1]
and claims 5 and 6
under 35 U.S.C. § 103(a)[R2]

Appellants contend that the Examiner erred in rejecting the noted claims under 35 U.S.C. § 103(a) for four reasons.

Appellants first contend that the references fail to teach or suggest multiple data stores, each having an agent and a profile representing configuration information for the data store. (Brief 9, middle). The Examiner points to Bull, especially at column 14, lines. 24 to 25. (Ans. 15, top). We have reviewed the Bull reference at this point, and indeed the entire patent, and fail to find the claimed data stores with dedicated agents and the recited profile. The agents in Bull are simply text strings to be applied in a text search and contain no configuration information for the data store. (*See* col. 6, l. 45) (FF 3). We find that neither Hassett nor Krapf supplies that deficiency. We thus agree with Appellants on this point.

Appellants further contend that the references do not teach or suggest that the data stores and profile are mapped one-to-one with the dedicated agent. (Brief 9, middle). Though we find that in Bull there may be customization of the text agents toward a certain "class of indexed information about new cars" for car-related searches (col. 6, l. 50) (FF 3), the required one-to-one mapping of data stores to dedicated agents as claimed is not shown in the Bull reference, or the others. We thus agree with Appellants on this point.

Appellants further contend that the references do not teach or suggest creating a temporary proxy with one or more pointers to agents associated with data stores as claimed. (Brief 9, middle). Though there is a teaching of temporary proxies in Krapf, as mentioned by the Examiner (col. 18, l. 10 et seq.), the temporary proxies therein do not contain the pointers to agents as recited in the claims. The Bull and Hassett references likewise do not contain this teaching. We thus agree with Appellants on this point also.

As claims 5 and 6 are rejected using the same reasoning as their independent representative claim 1, we find that the rejection [R2] of those claims is likewise insufficiently supported and in error.

CONCLUSION OF LAW

Based on the findings of facts and analysis above, we conclude that the Examiner erred in rejecting claims 1-13, 16-19, 21-27, 35-37, 40, 42-45, and 50-57 under 35 U.S.C. § 103 [R1, R2].

DECISION

The Examiner's rejections R1 and R2 of claims 1-13, 16-19, 21-27, 35-37, 40, 42-45, and 50-57 are reversed.

REVERSED

peb

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